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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,090	09/30/2003	Tetsujiro Kondo	238873US6	2160

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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

KOVAL, MELISSA J

ART UNIT	PAPER NUMBER
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2862

NOTIFICATION DATE	DELIVERY MODE
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01/03/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/674,090

Applicant(s)

KONDO ET AL.

Examiner

Melissa J. Koval

Art Unit

2862

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 21-33 is/are pending in the application.
- 4a) Of the above claim(s) 22-33 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1-12 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This application is in condition for allowance except for the following formal matters:

Claims 22 through 33, non-elected with traverse, remain in the case. These claims should be cancelled by applicant to place the case in condition for allowance.

The comments with respect to Election/Restriction set forth in the previous Office Action of July 20, 2007 are repeated below for applicant's convenience:

Election/Restrictions

Claims 22-33 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on May 2, 2007.

Claims 13 through 20 are further withdrawn by the examiner. See the remarks set forth below.

Applicant's election with traverse of Invention I, Species 2 in the reply filed on May 2, 2007 is acknowledged. The traversal is on the ground(s) that "a search and examination of the entire application would not place a serious burden on the Examiner, whereas it would be a serious burden on Applicants to prosecute and maintain separate applications".

This is not found persuasive because applicants provide no further evidence to support their position. A comparison of independent claim 1 with withdrawn independent claim 22 show two distinctly different species. Particularly the following limitations of withdrawn claim 22 indicate that the species claimed therein may be classified outside the projection art, and at least requires a search in arts drawn to image analysis and plural displays, i.e. classes 382 and 345, for example:

"an image selecting mechanism configured to select a viewpoint image of a predetermined object as viewed from a viewpoint of a user, based on the viewpoint of the user, from images captured respectively from the plurality of positions; and

a viewpoint-image converting mechanism configured to convert the viewpoint image into the projected image based on the viewpoint of the user and the predetermined 3-dimensional shape of the interior display surface."

Claims 13 through 20 are withdrawn essentially for the same reasons.

The requirement is still deemed proper and is therefore made FINAL.

Claim Objections

Claims 1 through 12 and 21 are objected to because of the following informalities: The limitation "said position" in the final line of claim 1 requires further description for clarification. The examiner suggests the following, as supported by the figures:

- - is simultaneously viewable from said position. - -

Appropriate correction is required.

Claims 2 through 12 and 21 depend from claim 1.

Allowable Subject Matter

Claim 1 would be allowable if rewritten or amended to overcome the objection(s) set forth above in this Office action.

Remaining claims 2 through 12 and 21 are objected to because they depend from objected to claim 1.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melissa J. Koval whose telephone number is (571) 272-2121. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Assouad can be reached on (571)272-2210. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Melissa Jan Koval
Primary Examiner
Art Unit 2862
MJK

A handwritten signature in black ink, appearing to read 'Melissa J Koval', with a large, stylized 'Q' at the end.

MELISSA JAN KOVAL
PRIMARY EXAMINER